

### **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed July 18, 2005 ("Office Action"). At the time of the Office Action, Claims 1-6 and 10-19 were pending in the Application. In order to advance prosecution of this Application, Applicants amend Claims 1, 13 and 15. Applicants respectfully request reconsideration and favorable action in this case.

### **Drawing Objections**

The Office Action objects to the drawings because the transition section of the coupler knuckle is not labeled. Office Action, page 2. Applicants amend Figure 2 to include reference number 34 which indicates the area of the coupler knuckle that is referred to as the transition section in the claims and specification. *See e.g.* Specification, page 7, lines 22-23. Applicants respectfully submit that no new matter has been added. Applicants respectfully request that the objection to the drawings be withdrawn.

### **Claim Objections**

The Office Action objects to Claims 1-6 and 10-19 because of the inclusion of "said pivot pinhole" in Claims 1, 13 and 15. Office Action, page 3. Claims 1, 13 and 15 have been amended, as per Examiner's suggestion, to delete the phrase "said pivot pinhole." Applicants respectfully submit that no new matter has been added. Applicants respectfully request that the objections to the claims be withdrawn.

### **Section 102 Rejections**

The Office Action rejects Claims 1, 5-6, 12-17, and 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,582,307 issued to Hawthorne et al. ("*Hawthorne*"). Applicants respectfully traverse these rejections for the reasons discussed below.

To anticipate a claim, each and every limitation must be found in a reference. *See* MPEP § 2131. "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

In addition, "[t]he elements must be arranged as required by the claim . . ." *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990).

Claims 1, 13 and 15 recite "an enhanced bearing surface which includes a substantially flat portion disposed substantially in a vertical direction and which is substantially arcuate in a horizontal direction, said substantially flat portion extending for a predetermined distance in said vertical direction." The Office Action suggests that *Hawthorne* discloses these elements at nose 22 of Figure 2. See Office Action, page 3, ¶ 4. *Hawthorne* discloses that nose 22 is modified to be blunt and illustrates a formerly utilized rounded section in dotted lines on Figure 2. See *Hawthorne*, Col. 3, lines 34-36 and Figure 2. As illustrated in Figure 2 of *Hawthorne*, nose 22 is blunt in a horizontal direction. *Hawthorne* does not disclose, teach or suggest an enhanced bearing surface with a substantially flat portion disposed substantially in the vertical direction which is substantially arcuate in the horizontal direction. Therefore for at least these reasons, Applicants respectfully submit that Claims 1, 13, and 15 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 5, 6, 12, 17 and 19 depend, either directly or indirectly, from Claim 1, Claim 14 depends from Claim 13, and Claim 16 depends from Claim 15. Therefore, for at least the reasons discussed above with respect to Claims 1, 13, and 15, Applicants respectfully submit that Claims 5, 6, 12, 14, 16, 17 and 19 are patentable over *Hawthorne* and request that the rejection of these claims be withdrawn.

Additionally, Claim 17 includes elements that were originally in Claim 1 which was previously allowed in the Notice of Allowance mailed November 19, 2003. Claim 17 recites that the predetermined length of the substantially flat portion along the horizontal direction extends over at least a portion of the hub section, the front face section and at least a portion of the nose section. The Office Action suggests that *Hawthorne* discloses this element in Figure 2. See Office Action, page 4. However, nose 22 of *Hawthorne*, which the Office Action previously contends includes the substantially flat portion, is in *Hawthorne's* nose section and does not extend along the horizontal direction over *Hawthorne's* pulling face 24.

Therefore, for at least these additional reasons, Applicants respectfully submit that Claim 17 is patentable over the cited art used in the rejection and request that the rejection of Claim 17 be withdrawn.

### **Section 103 Rejections**

The Office Action rejects Claims 2-4, 10-11, and 18 under 35 U.S.C. § 103(a) as being unpatentable by *Hawthorne*. Applicants respectfully traverse these rejections for the reasons discussed below.

Claims 2-4, 10-11 and 18 depend from independent Claim 1. Applicants respectfully submit that Claims 2-4, 10-11 and 18 are patentable over *Hawthorne* for at least the reasons discussed above with respect to Claim 1. Thus Applicants respectfully request allowance of Claims 2-4, 10-11 and 18.

The Office Action rejects Claims 1-6 and 10-19 under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 4,645,085 issued to Hanula et al. ("*Hanula*") in view of U.S. Patent No. 3,857,495 issued to Kaufhold ("*Kaufhold*"). Applicants respectfully traverse these rejections for the reasons discussed below.

The Office Action admits that *Hanula* fails to disclose a coupler knuckle having a substantially flat portion disposed substantially in a vertical direction and extending for a predetermined distance in a vertical direction. *See* Office Action, page 6. The Office Action then refers to the abstract and Figures 1-10 of *Kaufhold* as generally disclosing flat portions and contends that it would have been obvious to one of ordinary skill in the art to include the flat portions of *Kaufhold* in *Hawthorne* to prevent formation of an overturning moment force on the coupler knuckle during coupling. *See id.* However, the flat surfaces of *Kaufhold* are illustrated and described as being flat in a horizontal direction. *See e.g., Kaufhold*, Figures 2-4. *Kaufhold* does not disclose, teach or suggest an enhanced bearing surface with a substantially flat portion disposed substantially in a vertical direction which is substantially arcuate in a horizontal direction. Therefore, for at least these reasons, Applicants respectfully

submit that Claims 1, 13, and 15 are patentable over the combination of *Hanula* and *Kaufhold* and request that the rejections of these claims be removed.

Claims 2-6, 10-12 and 17-19 depend from independent Claim 1, Claim 14 depends from Claim 13 and Claim 16 depends from Claim 15. Applicants respectfully submit that Claims 2-6, 10-12, 14 and 16-19 are patentable over *Hanula* and *Kaufhold* for at least the reasons discussed above with respect to Claims 1, 13 and 15. Thus Applicants respectfully request allowance of Claims 2-6, 10-12, 14 and 16-19.

Claim 17 includes elements that were originally in Claim 1 which was previously allowed in the Notice of Allowance mailed November 19, 2003. Claim 17 recites that the enhanced bearing surface extends in the horizontal direction “over at least a portion of said hub section, said front face section and at least a portion of said nose section.” However, the flat surface of *Kaufhold*, is on the nose of the knuckle. *See Kaufhold*, Figure 2 and Col. 1, lines 55-56. *Kaufhold* does not disclose, teach or suggest a flat surface extending over at least a portion of the front section. Therefore, for at least these additional reasons, Applicants respectfully submit that Claim 17 is patentable over the cited art used in the rejection and request that the rejection of Claim 17 be withdrawn

**Conclusion**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Chad C. Walters, Attorney for Applicants, at the Examiner's convenience at (214) 953-6511.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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